

# THOMPSON COBURN

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July 10, 1998

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Mr. Thomas Martin  
Associate Regional Counsel  
Office of Regional Counsel (C-14J)  
U.S. EPA - Region V  
77 West Jackson Boulevard  
Chicago, IL 60604

Re: ***U.S. EPA Demand for Reimbursement of Costs Expended at Site G  
of the Area 1 Sauget Superfund Site***

Dear Mr. Martin:

As you may know, Monsanto Company divided into two separate publicly held companies on September 1, 1997. As a result of this separation, Solutia owns and operates a number of chemical-based businesses and their associated manufacturing plants, which previously belonged to Monsanto Company.

Solutia has agreed that it will indemnify Monsanto for certain liabilities and, at the same time, Monsanto has authorized Solutia to act as Monsanto's agent. Solutia received your demand letter for Site G cleanup costs and will respond on behalf of Monsanto. Our firm will be representing the interests of both Solutia and Monsanto. The technical person in charge at Solutia will be Michael Light (314-674-1617).

It appears that EPA determined the action to be a time-critical removal. This is the only information we have on the cleanup of this site, which apparently commenced in 1995.

Please provide Solutia with any and all information which would indicate that the material removed by EPA originated from a Monsanto facility. We also request any analysis which would indicate that the material removed was hazardous. Also, we are aware that in 1992 a Screening Site Inspection was done for Site G. Please forward a copy of that document to us.

Even if Monsanto were liable for the cleanup, EPA has sent insufficient cleanup and financial information to allow Solutia to verify the very general demand that has been made. Other than categorizing the costs, EPA's demand letter contains absolutely no supporting information for any of the claimed expenditures. Please forward a cost package that documents each expense incurred and hours spent.

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The demand letter provides a short list of parties which EPA considers to be PRPs. Solutia objects to Monsanto being singled out for receipt of the demand letter when it is clear that a site, such as Site G, would have had many more PRPs than those attached to the demand. EPA is aware that Site G was operated, at one time, by a disposal company which could have disposed of materials at this site for a multitude of generators. If every potential responsible party is listed, these cost issues could be resolved much more quickly.

In order to thoroughly assess the demand letter for Site G, we need as much information as possible on the PRPs for the site. In January of 1998, we reviewed and copied many of the EPA records on PRPs for the Sauget Sites. If the agency has received any new PRP information, please send us a copy. If the agency PRP report, which was in the processes of being developed by an outside contractor for EPA in January, is now complete, please forward a copy of that to us also.

While Solutia supports the prompt and efficient cleanup of sites which present an imminent and substantial danger to human health or the environment, it can not afford to participate in cleanup of sites for which it, and/or Monsanto, are not responsible. On the other hand, Solutia is interested in working with the agency in resolving environmental matters which are legitimately related to its past operations. Therefore, if and when further information is received, Solutia will review it and respond to the EPA's demand appropriately.

Very truly yours,

Thompson Coburn

By   
Joseph G. Nassif

JGN/lla

cc: Mr. Brent J. Gilhousen  
Mr. Michael Light